

AMENDMENTS TO THE DRAWINGS

Please substitute the enclosed Figure 8 for the original Figure 8 filed with the application.

REMARKS

The non-final Office Action was issued on pending claims 3-19. Claims 3-19 stand rejected. In this Response, claim 1 has been amended, claims 3, 4, 6-12, 14, 15 and 18 have been cancelled, and no claims have been added. Thus, claims 5, 13, 16, 17 and 19 are pending in the application.

Applicants invite the Examiner to call Applicants' Representative to discuss any issues with this application.

Drawing Objections

The Office Action at page 2 objects to Figure 8 of the drawings as not having a legend such as PRIOR ART.

In response, Figure 8 of the drawings has been amended to include the legend PRIOR ART. No other changes to the drawings are being made. The enclosed drawing replacement sheet for Figure 8 is a formal drawing.

Thus, Applicants submit the drawing objections have been overcome.

Claim Rejections – 35 USC §§102, 103

In the Office Action at page 2, claims 3-7, 13 and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by Brozek (US 2,267,370). In the Office Action at page 3, claims 8-11 and 15-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brozek in view of Watanabe et al. (US 5,023,394). In the Office Action at page 3, claims 12 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brozek in view of Masataka (JP 2001-204515). Applicants respectfully disagree.

Claim 5 has been amended to include claims 14, 15 and 18. Accordingly, claims 14, 15 and 18 have been cancelled. Also, claims 3, 4 and 6-12 have been cancelled.

As to the §102(b) rejection of claim 5 based on Brozek, claims 15 and 18 were not rejected. Amended claim 5 includes claims 15 and 18. Thus, the §102(b) rejection of claim 5 should be withdrawn.

As to the §103(a) rejection based on Brozek in view of Watanabe et al., claim 5 was not rejected. Also, claim 14 was not rejected. Amended claim 5 includes claim 14. Thus, the §103(a) rejection based on Brozek in view of Watanabe et al. should be withdrawn.

As to the §103(a) rejection based on Brozek in view of Masataka, claim 5 was not rejected. Also, claims 14, 15 and 18 were not rejected. Amended claim 5 includes claims 14, 15 and 18. Thus, the §103(a) rejection based on Brozek in view of Masataka should be withdrawn.

Applicants provide further remarks in response to the Office Action. In Applicants' invention, a fastener element is attached to an overlaid folded part of an edge of a fastener tape by clamping the folded part. The fastener element has a fitting head and a pair of legs projecting from the fitting head which clamp the folded part. In addition, a sewing thread is provided at a position spaced apart from the legs of the fastener element. An example of Applicants' invention is shown in Figure 5. A fastener element 3 is attached to an overlaid folded part 4 of an edge 12 of a fastener tape 2 by clamping the folded part 4. The fastener element 3 has a fitting head 16 and a pair of legs 15 projecting from the fitting head 16 which clamp the folded part 4. In addition, a sewing thread 6 is provided at a position spaced apart from the legs 15 of the fastener element 3.

Turning to Brozek, Brozek has a tape 10, a cord 12 and a folded portion 13 which are sewn together. Fastener elements 11 are attached to the folded portion 13. The fastener elements 11 are attached so as to cover a sewing portion (line of stitches 16). Contrary to claim 5 of the present invention, the line of stitches 16 is not provided at a position spaced apart from the jaws 14 (legs) of the fastener elements 11. Rather, the Brozek line of stitches 16 is adjacent the jaws 14 of the fastener elements 11. The Brozek slide fastener may have problems. For example, the fastener element 11 might contact a sewing thread and cut the sewing thread when the pair of jaws 14 are mounted on the folded portion 13. Contrary to claim 5 of the present invention, in Brozek the tape 10 and the folded portion 13 are not overlaid. Therefore, the Brozek tape 10 and the folded portion 13 do not have overlaid contact with each other. In the

non-overlaid Brozek folded portion 13, even if electromagnetic shield plating is provided on the surface of the tape 10, the non-overlaid folded portion 13 would not provide sufficient electromagnetic wave shield performance.

As to Watanabe et al. and Masataka, those references do not remedy the deficiencies of the present invention as claimed in claim 5. Watanabe et al. describes a fastener tape made of fabric which is plated with a conductive metal. Masataka describes a slide fastener base fabric made of polytrimethylene terephthalate has yellowing resistance. Neither of Watanabe et al. and Masataka disclose the above-described features of the present invention as claimed in claim 5, nor do those references provide a suggestion, motivation or incentive to modify Brozek to achieve Applicants' invention as claimed in claim 5.

Therefore, claim 5 is allowable. The dependent claims are also allowable at least for the reasons that claim 5 is allowable.

Thus, Applicants submit that the §102 and §103 rejections should be withdrawn.

CONCLUSION


For the foregoing reasons, Applicants submit that the patent application is in condition for allowance and request a Notice of Allowance be issued.

Respectfully submitted,

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